

**ASSEMBLY BILL**

**No. 2644**

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**Introduced by Assembly Member Fuller**

February 19, 2010

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An act to amend Section 12804.8 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2644, as introduced, Fuller. Vehicles: drivers' licenses: competency.

Existing law authorizes the Department of Motor Vehicles to conduct studies to develop and identify examinations and tests, to more accurately identify persons who, due to physical or mental factors, or both, are not competent or qualified to safely operate a motor vehicle.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 12804.8 of the Vehicle Code is amended
- 2 to read:
- 3 12804.8. (a) Notwithstanding any other provision of law, the
- 4 department may conduct studies to develop and identify
- 5 examinations and tests, to more accurately identify persons who,
- 6 due to physical or mental factors, or both, are not competent or
- 7 qualified to safely operate a motor vehicle.

1 (b) In addition to any other tests or examinations required under  
2 this code, the department may require ~~any~~ a person applying for  
3 an original driver's license or renewal of a driver's license, or ~~any~~  
4 a person subject to reexamination under Section 13801, to submit  
5 to one or more tests or examinations which are part of a study.

6 (c) The results and information obtained during the study,  
7 through the tests and examinations specified in subdivision (a),  
8 shall be used only to assess and evaluate the effectiveness of the  
9 tests and examinations and to select tests and examinations for use  
10 by the department, and for no other purpose. The results of the  
11 tests are confidential and shall not be disclosed to any person.

12 (d) ~~No~~A public entity or employee shall *not* be liable for any  
13 loss, detriment, or injury resulting directly or indirectly from the  
14 department's acts or failure to act on information received through  
15 the studies.